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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Thursday - 15 May 1975

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25X1 1. (Unclassified - DFM) Received a call from George Gilbert, OMB, regarding their request of May 14th for our comments on proposed May 16th testimony of [] regarding the recent Geneva Session of the Law of the Sea Conference. I called [] OGCR, and in his absence spoke to his assistant, [] I summarized the testimony for [] and he believed it to be accurate. I then informed George Gilbert that the Agency had no problems with the proposed testimony. 25X1

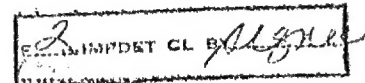
25X1 2. (Unclassified - LLM) Ralph Preston, Defense Subcommittee, House Appropriations Committee staff, returned Mr. Cary's call and confirmed that the briefing for the Subcommittee at 1:30 p.m. on the Mayaguez incident was still scheduled for this afternoon and the events of last night have not closed out their interest on the subject.

25X1 3. (Confidential - LLM) Accompanied [] OCI, to a briefing of Representative Donald Riegle (D., Mich.) on [] Carl [] Blake, Administrative Assistant, was in attendance. The briefing went very well and Mr. Riegle was truly appreciative. We will provide several items for his reading, including a copy of the Middle East Atlas and the column by Ray Vicker on "Sadat's Diplomatic Offensive." 25X1

4. (Confidential - LLM) Accompanied [] NIO/SEA, to an executive session briefing of the Defense Subcommittee, House Appropriations Committee, on the Mayaguez incident. See Memorandum for the Record. 25X1

5. (Unclassified - LLM) Called Julie Pineau, Secretary to Representative Paul McCloskey (R., Calif.) and told her that if his schedule permits, we probably could squeeze in a briefing on the Soviet Merchant fleet this afternoon but otherwise it would have to go over to early next week. She said his schedule was tied up this afternoon but would check and let us know.

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01475-1055

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 14, 1975

LEGISLATIVE REFERRAL MEMORANDUM

To: Legislative Liaison Officer

Department of Commerce
Department of Defense
Department of Transportation
Central Intelligence Agency
National Science Foundation
Council on Environmental Quality
Environmental Protection Agency
Federal Energy Administration
Agency for International Development

Department of Justice
Department of the Treasury
Department of State
National Security Council

Subject: Proposed testimony of Leigh S. Ratiner regarding the result of the recent Geneva Session of the LOS Conference, particularly the progress of Committee I on deep seabed mining. See also attached note regarding clearance of other LOS related testimony. The Office of Management and Budget would appreciate receiving the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

() To permit expeditious handling, it is requested that your reply be made within 30 days.

(x) Special circumstances require priority treatment and accordingly your views are requested by

3:00 p.m. Thursday, May 15, 1975 in connection with hearings scheduled for May 16, 1975.

Questions should be referred to Mike Usnick (103-4580) or to George Gilbert (103-4710), the legislative analyst in this office.

J. F. C. Hyde, Jr.
For Assistant Director for
Legislative Reference

Enclosures

bc

OMB FORM 4
JULY 70OFFICE OF MANAGEMENT AND BUDGET
ROUTE SLIPTO Legislative Liaison OfficersTake necessary action ☐Approval or signature ☐Comment ☐Prepare reply ☐Discuss with me ☐For your information ☐See remarks below ☐FROM _____ DATE 5/14/75

REMARKS

The LOS Interagency Task Force has also advised us that it will be circulating proposed testimony by John Norton Moore (chairman of the Task Force) and Thomas A. Clingan (State Dept.) to agency LOS representatives for comment by Friday, May 16, 1975. Moore and Clingan are scheduled to appear before the House Merchant Marine Fisheries Subcte on Monday, May 19, and before the Senate Foreign Relations Cte on Tuesday, May 20 to discuss progress made in the Geneva session of the LOS conference. It is anticipated that they will make essentially the same statements before both groups.

As in the past, please check with your agency's LOS representative, and with other parts of your department or agency as you deem necessary and appropriate, and coordinate your comments on these statements back to the LOS Task Force through your Task Force representative. If you have questions or if other problems arise, please call Mike Usnick (103 x 4580) or George Gilbert (103 x 4710) in OMB.

Unless we hear otherwise, we will assume that the position given to the Task Force by your LOS representative represents the coordinated position of your department or agency.

TO: GED. GILBERT

7202

NEOB

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STATEMENT OF
LEIGH S. RATNER
ADMINISTRATOR
OCEAN MINING ADMINISTRATION
DEPARTMENT OF THE INTERIOR
Before Subcommittee on Oceanography of
the House Committee on Merchant Marine
and Fisheries
May 16, 1975

Mr. Chairman:

I am pleased to be invited to appear before you today and to share some of my thoughts on developments at the recently concluded Geneva Session of the Law of the Sea Conference. As you are aware, my primary involvement in the Conference is as our representative in Committee I of the Conference which deals with the deep seabed and ocean mining. With your permission, I would like to restrict my remarks today to that subject. The NSC Inter-agency Task Force on the Law of the Sea has not yet had the opportunity to assess the results of this session or to review what policy options should be pursued in the light of those results. Accordingly, my remarks are only of the most preliminary and tentative nature.

The efforts of Committee I, which deals with the establishment of a new international regime and machinery for deep ocean mining, were characterized by more serious negotiations at the Geneva session than have occurred in

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previous sessions of the Law of the Sea Conference.

However, these efforts were rewarded with only limited success on the critical issues before the Committee.

In my view, a major stumbling block in these negotiations is the desire on the part of most developing countries to use the deep seabed as a concrete opportunity to implement the so-called "new economic order" which calls for increasing the effective control of developing countries over needed raw materials and the quest of the industrialized countries for new, secure sources of supplies of raw materials. For this reason, we have found progress in Committee I particularly difficult to achieve.

I believe the United States entered the Geneva session with a reasonable and forthcoming position on many of the issues that directly concern developing countries, particularly on the question of ensuring developing country participation in ocean mining. In fairness it should be noted that the developing countries also made a genuine effort to be responsive to some of the concerns of the industrialized countries. Despite these attempts to reach an accommodation, little progress was made in bridging the gap among nations on the basic aspects of the system under which ocean mining will occur, although there were some significant signs of

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progress on issues involving the structure, powers and voting mechanisms of the proposed International Seabed Authority. In summing up the differences among nations on the exploitation system, I believe the following comments by Ambassador John R. Stevenson in his final press statement on May 9, 1975, are useful:

"... in a world where we have all felt the effects not only of scarcity of vital raw materials, but of uncertainty of access to them, nations are not prepared, in my judgment, to subject their access to seabed minerals to a system of exploration and exploitation and to a decision-making process in which they do not have reasonable assurances of security of access, and may not be adequately represented. Moreover, I do not think it will be possible, seen against the background of today's developments in raw materials matters, to agree to give ultimate powers of exclusive exploitation to a single new international entity. The United States has been willing to work with all nations of the world to ensure that a system of exploitation is devised that will permit both sharing in the benefits and future participation in the development of these resources. So far, however, basic compromises on this most difficult of issues have eluded all of us, although I

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am pleased to say that on some of the important issues progress has been made."

The most tangible result of the Geneva session in Committee I was the introduction by its Chairman of a draft treaty for future negotiating efforts which was prepared as a personal effort at the request of the Conference. In addition, this document included as an annex a set of basic conditions for general survey, exploration and exploitation. The Interagency Law of the Sea Task Force has not been able to review these drafts in detail, since they were introduced on the last day of the Conference. It is important to emphasize, however, that these draft articles are intended to be the negotiating documents for the next session of the Conference and were not discussed within Committee I. They are exclusively the personal work product of the individuals who prepared them.

With respect to the next session of the Conference, I am sure the Committee is aware that the Conference decided to recommend to the General Assembly the convening of an eight-week session beginning March 29, 1976. The previous assessment of the Executive Branch that it would be possible to conclude a law of the sea convention by the end of 1975

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has thus been proven to be overly optimistic. During the next few weeks, the Executive Branch will be intensively studying what policies should now be adopted in light of this unanticipated delay in the completion of the work of the Conference. While I am confident that this assessment will conclude that international cooperation in the deep seabed continues to be a worthwhile objective for the United States to pursue, other available options will have to be given serious consideration. Following this review, I would be happy to appear before the Committee again at your convenience, and discuss with you our assessment.

The Office of Management and Budget advises that, from the standpoint of the Administration's program, there is no objection to the presentation of this statement.